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Chair: Ms. Degener

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by parties to the Convention under article 35

Initial report of the Philippines (CRPD/C/PHL/1; CRPD/C/PHL/Q/1 and CRPD/C/PHL/Q/1/Add.1)

1. *At the invitation of the Chair, the delegation of the Philippines took places at the Committee table.*

2. **Ms. Orogo** (Philippines), introducing the members of her country's delegation, which was composed of a large number of senior officials, said that the decision by the Philippines to become a party to the Convention in 2008 had been an affirmation of its existing legislation and of the programmes and mechanisms already in place to address disability-related issues. Prior to accession to the Convention, language had been included in the 1987 Constitution and in a range of other legal instruments and policies to address the needs of persons with disabilities in the Philippines, raise awareness of their rights and provide for actions such as the reorganization and strengthening of institutions, including what was now known as National Council on Disability Affairs.

3. The Philippines had introduced the law known as the Magna Carta for Persons with Disabilities in 1992 to build on the Accessibility Law of 1982, a piece of legislation designed to address barriers to mobility for persons with disabilities in the built environment and infrastructure.

4. Following accession to the Convention, the Government had shifted its focus from a medical approach to disability-related issues to a rights-based approach intended to address the obstacles and inequalities faced by persons with disabilities. As a consequence of that paradigm shift, persons with disabilities had been put in a position where they were able to exercise and enjoy their inalienable rights to, among other things, education, work, employment, leisure and sports, and the Government had begun to empower them as rights-holders through comprehensive programmes and strategies. The Magna Carta for Persons with Disabilities had been amended on many occasions to respond to evolving needs, including the need to tackle disability-based discrimination and verbal and non-verbal ridicule and vilification of persons with disabilities, as well as to provide for the granting of discounts on goods and services and the full and effective participation of persons with disabilities in all areas of development. A further significant amendment had been the establishment, in 2010, of Persons with Disability Affairs offices across the country to allow for the participation of persons with disabilities in local government affairs.

5. In 2012, a law had been adopted to promote access to polling stations for persons with disabilities and a definition of disability had been included in the text focusing on the experiences of persons with disabilities in negotiating various obstacles to participation in political life. The Government's approach to development work in that area was based on the twin slogans "Nothing about us without us!" and "No-one shall be left behind, including persons with disabilities".

6. Efforts had been made to reinforce the Accessibility Law in order to address those physical, communications and technological barriers that deprived persons with disabilities of access to government programmes and services and of the opportunity for meaningful participation in the development of society. In 2016, a law had been enacted to grant persons with disabilities further discounts on products and services, exemptions from value added tax and the right to social insurance, educational assistance, special discounts on prime commodities and basic necessities and priority service in commercial establishments. The Mental Health Act, signed by President Rodrigo Roa Duterte in 2018, provided for State support for persons with mental health conditions, including conditions that were the result of drug addiction, and for the full participation of such persons in work and society. The Act was designed to promote mental health education in schools and workplaces, access to mental health services, improvements to mental health-care facilities and the expansion of health insurance coverage to include psychiatric consultations, medicines and the costs of hospital confinement.

7. Under the Philippine Development Plan 2017–2022, ongoing efforts would be made to raise awareness of the Convention and advocate for the protection, promotion and realization of the rights of persons with disabilities. The ratification of the Convention had furthermore raised awareness of the need for consultation and dialogue with persons with disabilities. Events such as the National Disability Summit, the Public Health Convention on Health and Wellness for Persons with Disabilities and the Local Government Units Convention on Disability Inclusive Development in Governance had been organized to foster such dialogue.

8. Disability rights were being mainstreamed into initiatives and campaigns to increase access to health programmes, including sexual and reproductive health programmes, and to education, employment, justice, the built environment and infrastructure, and political life. Although a great deal had been done to improve the lives of the estimated 1.6 million persons with disabilities living in the Philippines, more remained to be done to supply national and local government mechanisms with the necessary resources to ensure the rights of persons with disabilities and to advocate for inclusive governance. Work to tailor national legislation, policies and programmes to meet the needs of persons with disabilities would continue, in line with a rights-based approach to disability and with President Rodrigo Roa Duterte's calls to improve the welfare of all persons throughout the country.

9. **Mr. Kim** Hyung Shik (Country Rapporteur) said that he was impressed with the size and level of the delegation of the Philippines, which reflected the State party's commitment to the implementation of the Convention. The Committee recognized the efforts made by the State party to align its legislation with the Convention and the contribution of various organizations of persons with disabilities to the reporting process. It would be interesting to hear what was being done to harmonize key legislation with the Convention and what results had been achieved through the implementation of the Magna Carta for Persons with Disabilities. A number of civil society organizations had highlighted the fact that the definition of persons with disabilities contained in the Magna Carta had not been updated since the adoption of that instrument. Although the State party report contained information on a range of initiatives, it was unclear whether the policy objectives underpinning those initiatives were short, medium or long-term objectives.

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10. **Mr. Pyaneandee** said that the State party was to be congratulated on the adoption of the Magna Carta. He asked what criteria had been set for disability certification and what model had been adopted in the light of the Magna Carta. Information on any laws that had been repealed or suspended because they contained provisions that discriminated against persons with disabilities would be welcome. Examples of cases in which the Supreme Court had ruled in favour of a person with disabilities in the interests of equality and non-discrimination would be useful. It would be interesting to hear details about the process for documenting complaints of disability-based discrimination, the remedies available and the prosecution of perpetrators. He asked whether any joint work had been carried out with organizations of persons with disabilities to disseminate the Committee's general comments and, if so, whether information was available on the outcome. Details of any recommendations made on that subject and of follow-up to recommendations would be welcome.

11. **Mr. Martin** asked whether the State party planned to remove deeply derogatory terms, such as "retarded", from the titles of its disability-related programmes, plans and policies.

12. **Mr. Ishikawa** said that information would be welcome on State policies, programmes and budgetary allocations to ensure that organizations of persons with disabilities, in particular deaf-blind persons, persons with intellectual disabilities, persons with autism and persons with severe disabilities, could participate in a meaningful way in the planning and implementation of legislation and policies to ensure that effect was given to the Convention. He asked what specific measures had been taken in consultation with organizations of persons with disabilities to render public transport, including jeepney services, more accessible. It would be useful to have information on any plans, timelines or measures envisaged or taken to allow for the meaningful involvement of organizations of

persons with disabilities in the amendment of the Accessibility Law and the development or adoption of accessibility standards. Lastly, had any progress been made regarding State policies and programmes on the procurement of assistive technologies and devices, personal assistance and the provision of accessible learning and teaching materials at the national and local levels?

13. **Mr. Tatić** asked how the Magna Carta was implemented in practice in cases where an entity failed to act on a notice of compliance sent by the National Council on Disability Affairs, as outlined in paragraph 20 of the replies to the list of issues (CRPD/C/PHL/Q/1/Add.1). Data on the number of administrative and criminal cases of disability-based discrimination would be welcome, as would up-to-date figures on the number of buildings that were accessible and the number that were not. To what degree were automatic teller machines accessible for blind users in the State party?

14. **The Chair** said that she wished to know whether organizations of persons with disabilities had played a role in designing the disability assessment system; whether the system reflected the human rights model of disability; and whether persons with disabilities were actively involved in generating the information on the basis of which assessments were made. It would also be useful to learn whether steps had been taken to ensure that only one assessment method was used, thereby reducing the burden on applicants and promoting consistency and transparency in decision-making; whether information on assessment requirements was accessible and user-friendly; and whether disability assessment processes were regularly and independently reviewed and scrutinized.

15. She would appreciate data on sexual violence against women and girls with disabilities and information on the efforts made to combat such violence. On a separate point, it would be helpful if the delegation could comment on the State party's decision to include information on the primary prevention of impairment in its report, as such activities did not constitute a means of implementation of the Convention.

16. **Mr. Langvad** asked what strategies had been adopted to ensure that persons with disabilities were able to influence legislation, policies and programmes that would affect them and what campaigns had been organized to raise public awareness of the rights of persons with disabilities.

17. **Mr. Basharu** said that he wished to know whether there were any plans to amend the Anti-Sexual Harassment Act of 1995 and the Anti-Violence against Women and their Children Act of 2004 with a view to incorporating a disability perspective. In addition, it would be useful to learn whether children with disabilities, including children in a street situation, were included in national life, what weight was given to their views in national assemblies and what measures had been taken to ensure their inclusion in mainstream schools. Lastly, he wondered whether the State party planned to revise its terminology for describing persons with disabilities, as the titles of some of its recent initiatives, for example Retarded Children's Week and Brain Attack Awareness Week, seemed contrary to the spirit of the Convention, and planned to provide a role for persons with disabilities in the design of awareness-raising programmes with a view to portraying persons with disabilities in a positive light.

18. **Mr. Chaker** said it was regrettable that children and young persons with disabilities, in particular developmental disabilities, had lost their lives in natural disasters and armed conflicts in the State party in recent years and that abortion remained a criminal offence. In that context, what efforts were being made by the Government to protect the right to life of persons with disabilities?

19. **Mr. Buntan** said that he wished to know whether the State party planned to reconsider its decision not to ratify the Optional Protocol, which offered persons with disabilities who had exhausted all domestic remedies a means of seeking redress for violations of their rights under the Convention, and, if so, when it planned to ratify that instrument. Citing the slogan "Nothing about us without us", he asked what measures would be taken to facilitate the active and substantive participation of all organizations of persons with disabilities, including regional-level organizations, in the revision of relevant laws and policies and thereby ensure that the concerns of persons with disabilities were adequately addressed.

20. **Mr. Kim** Hyung Shik said that it was unclear whether the State party had a national action plan to implement the Convention. He wondered whether the Government, the national human rights institution and the National Council on Disability Affairs worked in close collaboration with organizations of persons with disabilities, whether such organizations received sufficient financial support and whether they were regularly invited to participate in consultations. He would appreciate more information on the training organized to raise awareness of the State party's obligations under the Convention among public servants, including Supreme Court judges, politicians, law enforcement officials and teachers.

The meeting was suspended at 3.50 p.m. and resumed at 4.20 p.m.

21. **Mr. Lee** (Philippines) said that the Magna Carta for Persons with Disabilities of 1992 was based on a definition informed by both the medical and social models of disability. The conception of disability embodied in the Convention had been incorporated into national legislation, and the focus of current legislative efforts was to place greater emphasis on the interactions between persons with disabilities and the attitudinal and physical environment.

22. Various disability assessment systems were in place in the Philippines, including systems specific to the education and medical sectors. Through a partnership with the World Health Organization, the Government was working to introduce a new system based on the International Classification of Functioning, Disability and Health. That process was expected to reach its completion in the near future.

23. With regard to the employment of persons with disabilities, the quota of 5 per cent established under the Magna Carta for Persons with Disabilities, which had applied only to emergency and contractual workers in the public sector, had recently been abolished. A new quota of 1 per cent had been introduced to cover all contract types, and private sector companies were being encouraged to adopt the same quota system.

24. Organizations of persons with disabilities were represented on the board of the National Council on Disability Affairs and on its various national and regional subcommittees. The focus of current engagement efforts was to increase the representation of persons with disabilities at the local government level.

25. **Ms. Jalosjos** (Philippines) said that, under Memorandum Circular 2017-119, the Department of Interior and Local Government had mandated the establishment of special offices for disability affairs or, in municipalities belonging to lower income classes, the appointment of local disability focal points. Such offices made services more accessible to persons with disabilities and worked to promote change, end poverty, ensure inclusive education and promote sustainable economic growth. According to a recent study, 60 per cent of local government units had established such an office.

26. Disability-specific indicators had been incorporated into the Seal of Good Local Governance Programme. Local governments were now assessed on the basis of criteria such as whether they had established a special office for disability affairs and whether they had made provision for accessibility features in local public infrastructure.

27. **Mr. Ong** (Philippines) said that the possibility of ratifying the Optional Protocol to the Convention remained under review. Pending the outcome of that process, the Committee could rest assured that the effective and accessible domestic remedies currently available to persons with disabilities were continuously being strengthened and that the legislation that protected the rights of such persons, including the Magna Carta for Persons with Disabilities and the Accessibility Act, was being fully implemented.

28. **Ms. Daytec-Vañgot** (Philippines) said that, in a decision of 2017, the Supreme Court of the Philippines had held that the mandatory 20 per cent discount applicable to medical products purchased by persons with disabilities was constitutional and represented a legitimate exercise of police power. Companies could offset the cost of applying the discount against their tax liability. The Court had reasoned that, as the State was obliged to give full support to the improvement of the total well-being of persons with disabilities and their integration into the mainstream of society, special privileges could be granted to them, "if only to balance the playing field which had been unduly tilted against them because of

their limitations". In an earlier decision, the Court had held that deaf persons were competent to participate as witnesses in court proceedings.

29. **Mr. Lee** (Philippines) said that, if a person alleged to have infringed the Magna Carta for Persons with Disabilities had not ceased and desisted after three written warnings, the competent government agency, for example the Department of Public Works and Highways in the case of an infringement of a provision governing the accessibility of the physical environment, would be instructed to conduct an investigation. Either administrative or criminal proceedings could be instituted in response to the findings. The Public Attorney's Office under the Department of Justice had drawn up a report detailing the number of persons with disabilities who had received assistance in accessing justice.

30. **Ms. Brigola** (Philippines) said that sex-disaggregated data were collected on sexual violence and abuse. The collection of centralized and consolidated data disaggregated by both sex and disability remained a challenge. Nevertheless, efforts were being made to improve the process for the collection of demographic and socioeconomic data on disability.

31. There were various measures in place to combat sexual violence and abuse against women with disabilities. Disability was recognized as a cross-cutting concern in the Magna Carta of Women, which mandated the authorities to address abuse against women with disabilities in all its forms and to support victims. Rape victims, including those with disabilities, were entitled to assistance under the Rape Victim Assistance and Protection Act. Standards on the proper handling of violence against women with disabilities had been incorporated into the performance standards for prosecutors.

32. The Inter-Agency Council on Violence Against Women and Their Children had developed a new strategy plan which prioritized the prevention of intersecting forms of gender-based violence, including sexual violence and abuse against women with disabilities. In response to concerns expressed by stakeholders during a recent consultation, a new national advocacy and communication plan had been drawn up for women belonging to marginalized and vulnerable groups.

33. Steps had been taken to improve access to justice for women with disabilities and ensure that they did not experience direct or indirect discrimination in their interactions with the justice system, particularly in cases of sexual violence or abuse. Disability awareness training was gradually being introduced for civil servants, who already regularly underwent gender sensitivity training. In addition, it had been decided that disability sensitivity training should be incorporated into the human resource development programme of the Department of Justice.

34. The competent division of the Philippine National Police had incorporated disability awareness and sensitivity training into the modules available to officers serving on local-level women and children's desks. Law enforcement personnel could also access such training through the National Council on Disability Affairs. The Department of Social Welfare and Development operated crisis centres for rape victims, including victims who were women with disabilities, and refuges for women and children in difficult circumstances. Efforts were continuously being made to ensure that social welfare agencies providing direct services to vulnerable individuals, including women with disabilities, were duly registered, licensed and accredited.

35. The Government was open to the possibility of amending the Anti-Sexual Harassment Act of 1995, the Anti-Violence against Women and their Children Act of 2004 and other laws on gender-based violence in order to ensure their compliance with United Nations treaties, including the Convention and the Convention on the Elimination of All Forms of Discrimination against Women. In fact, the Philippine Commission on Women had included the amendment of the Anti-Sexual Harassment Act on its priority legislative agenda for the seventeenth congress. Representatives of persons with disabilities, in particular women with disabilities, were regularly invited to participate in government consultations and meetings.

36. **Mr. Mateo** (Philippines) said that, in accordance with the Enhanced Basic Education Act of 2013, the Department of Education took action to promote and protect the

right of all children to quality basic education and to a child-friendly, gender-sensitive and safe learning environment. The Department continued to implement special education programmes in order to equip children with disabilities with the skills needed to become self-directed, self-reliant and self-sufficient learners who were accepted and valued as active contributors to society.

37. The Government had adopted the Special Education Programme to support the implementation of the Magna Carta for Persons with Disabilities and the actions set out in the 1994 Salamanca Statement and Framework for Action on Special Needs Education, to which the Philippines was a signatory. In addition to promoting access to mainstream schools for children with disabilities, the Programme provided for various alternative forms of education such as special day schools and home-based instruction. The Government had also conducted various national awareness-raising and advocacy campaigns to increase the number of children with disabilities in full-time education. Order No. 72 of 2009 on inclusive education as a strategy for increasing the participation rate of children had been introduced to further strengthen the national rights-based approach to education.

38. **Mr. Lee** (Philippines) said that the Government had taken steps to repeal the legislation establishing Retarded Children's Week and Brain Attack Awareness Week. It had also ensured the active participation of organizations of persons with disabilities in national disability awareness-raising weeks. For example, the Autism Society of the Philippines had assumed a lead role in organizing events for Autism Consciousness Week which was held every January.

39. **Mr. Mateo** (Philippines) said that the Department of Education had organized several training sessions on inclusive and special education for school administrators, supervisors and teachers. It had also set up a training scholarship programme for special education teachers, including those wishing to teach children with autism. A train-the-trainer programme on the Special Education Programme and the concept of inclusive education had also been established.

40. **Ms. Jalosjos** (Philippines) said that local government authorities played a crucial role in initiatives to empower persons with disabilities and facilitate their inclusion in society. Newly elected public officials attended special training courses on the Convention which enabled them to understand the needs of persons with disabilities and take account of disability requirements in their respective policy areas.

41. **Mr. Ong** (Philippines) said that the Government was in the process of finalizing the draft of the third National Human Rights Action Plan. The draft plan took into account the provisions of all the international human rights treaties to which the Philippines was a State party, including the Convention on the Rights of Persons with Disabilities. The National Council on Disability Affairs had involved organizations of persons with disabilities in the formulation of the plan. They had cited accessibility, employment, access to justice, health care, assistive technologies and disability inclusive policies as priority areas. Once adopted, the action plan would provide an overarching human rights framework for persons with disabilities and ensure that national policymaking decisions reflected and addressed disability issues.

42. Regarding the structure of the report, the Government had considered it relevant to include disability prevention measures in recognition of the difficulties facing persons with disabilities and out of a desire to spare others from suffering in the same manner. It had nevertheless noted the Committee's concerns regarding the references to prevention and would refrain from mentioning it in future reports.

43. **Ms. Robinson** (Philippines) said that the Omnibus Franchising Guidelines set out the mandatory accessibility features for public utility vehicles and stipulated that bus manufacturers and transport service providers must make reasonable accommodation for persons with disabilities. The Department of Transportation and Communication held ongoing consultations with stakeholders in the transport sector to ensure compliance with the Guidelines and had introduced minimum accessibility design standards for major public transport infrastructure projects.

44. **Mr. Lee** (Philippines) said that the Government had met with officials from the Central Bank of the Philippines to discuss the introduction of accessible automated teller machines and would pursue consultations on the matter. Similarly, it had promoted the participation of organizations of persons with disabilities in national and local transport and town planning discussions in order to better understand and address their accessibility concerns.

45. **Mr. Mateo** (Philippines) said that the Government had allocated 1.85 million Philippine pesos (Pts) for the purchase of textbooks and other instructional materials in accessible formats for children with special educational needs and had included a separate budget line for that work in the 2018 General Appropriations Act. The Department of Education had started to develop instructional materials in Braille and large print and had devised distance learning courses for children with special educational needs who were unable to attend school. Assistive technologies had also been made available to schoolchildren with disabilities as needed.

46. **Ms. Cabotaje** (Philippines) said that the revised Penal Code defined abortion as an offence. The Government upheld the right to health of persons with disabilities and respected the health of mothers and their children.

47. **Mr. Ong** (Philippines) said that the Government had made concerted efforts to safeguard the lives of young persons with disabilities in the event of armed conflict or natural disasters and had established a natural disaster prevention and mitigation fund to actively tackle the issue.

48. **Mr. Domingo** (Philippines) said that the Government had allocated Pts 320 million for the construction of accessible facilities for persons with disabilities in 2017. It also conducted regular inspections of public and private buildings to ensure that they met national accessibility standards. Given the high construction rate in the country, it was not possible to give an exact figure as to the number of buildings accessible to persons with disabilities. However, the figure had increased significantly following the adoption of the Accessibility Law.

49. **Ms. Daytec-Yañgot** (Philippines), responding to questions on the legal remedies available to persons with disabilities facing discrimination, said that all persons, including persons with disabilities, had the right to bring a case of discrimination before the courts. The Supreme Court had recently heard a case brought by several drug companies in which it had upheld the constitutionality of the mandatory 20 per cent discount on the purchase of medicines by persons with disabilities. To strengthen the remedies available to persons with disabilities facing discrimination, the Government had set up the Department of Justice Action Centre tasked with registering cases of disability-based discrimination and providing legal advice and mediation services to victims. Since 2016, the Centre had received some 48 cases of disability-based discrimination and had referred many of those cases for mediation or to the relevant government agency for advice.

50. **Ms. Cabotaje** (Philippines) said that the Government had adopted measures to improve access to health care for persons with disabilities. The introduction of a 20 per cent discount on medicines for persons with disabilities was one notable example. Action had also been taken to offer comprehensive health and rehabilitation benefit packages for children with disabilities so that they could have access to the medical treatment and support services that they needed. Legislation providing for statutory health insurance benefits for persons with disabilities had recently been brought before parliament. With regard to medical facilities, the Department of Health had included accessibility requirements in licensing conditions for hospitals and had drafted minimum design standards for health centres with a view to making them accessible for persons with disabilities.

51. **Mr. Mateo** (Philippines) said that the Department of Education, in cooperation with disability stakeholder representatives, had convened an advisory council for the education of children and young persons with disabilities in 2011. It had also issued a child protection education policy in 2010 prohibiting discrimination on the basis of disability and requiring schools to consider the best interests of the child in all decisions and actions that affected them. Child protection committees had been established in all public and private primary

and secondary schools. The first National Child Protection Summit had been held in August 2018, in partnership with UNICEF, to identify strategies capable of strengthening child protection arrangements within schools.

52. **Mr. Ong** (Philippines) said that the third Comprehensive Programme on Child Protection addressed the barriers facing children with disabilities and provided for the mainstreaming of disability across all relevant policymaking areas. The Council for the Welfare of Children had been tasked with implementing the Programme and addressing any gaps in legislation. The Government was currently drafting a national strategic plan to increase awareness of statutory benefits for children with disabilities, simplify child disability assessment procedures, promote the participation of children with disabilities in community life and guarantee the availability of inclusive and comprehensive public services for children with disabilities. The Children's Emergency Relief and Protection Act had been adopted to protect children with disabilities before, during and after national disasters or emergencies.

Articles 11–20

53. **Mr. Buntan** asked whether blind persons in the Philippines could open a bank account without a co-signatory. If not, what steps did the State party intend to take to ensure they could manage their own finances independently? He would be glad to know whether persons with intellectual and/or psychosocial disabilities had the legal capacity to buy, own, sell and inherit property. Would persons with psychosocial disabilities who had committed crimes be able to stand trial and receive necessary support such as reasonable accommodation during legal proceedings? Noting reports received of abuse and exploitation of children with disabilities, especially in street begging, he asked what measures the State party had taken to protect those children and whether it had considered reviewing the practice of placing children with disabilities in institutions rather than offering them care and support in the community. He would welcome information as to whether the forthcoming disability support fund would be used to enhance community-based services and hire personal assistants to allow persons with disabilities to live independently in the community.

54. Referring to reports that a legal and administrative restructuring plan had led to the country's Braille printing house being merged into the Department of Education, which did not cover technical or higher education, he said that he wished to know how the State party would ensure the quality of Braille and other accessible textbooks for technical and higher education. Lastly, he wondered what steps the Government had taken to meet the requirements set out in the Sendai Framework for Disaster Risk Reduction 2015–2030 and the Charter on Inclusion of Persons with Disabilities in Humanitarian Action.

55. **Mr. Ruskus** asked whether the State party had taken any steps to abolish: the provisions of the Civil Code, the Family Code and other legislation that denied persons with disabilities their legal capacity and allowed for substituted decision-making; the provisions of the recently adopted Mental Health Act that meant that persons with disabilities could be institutionalized involuntarily and constrained without their informed consent; and the provisions of the Child and Youth Welfare Code that allowed children with disabilities to be placed under guardianship and institutionalized involuntarily. He wondered whether the Government would introduce provisions to offer recovery-oriented rehabilitation services for persons with psychosocial disabilities in the community.

56. Referring to reports of persons with disabilities being forced to beg on the streets and being exploited by criminal gangs and to reports of a large number of documented cases of violence against persons with disabilities, he said that he wished to know whether the State party systematically monitored cases of exploitation, violence and abuse against persons with disabilities and what preventive measures it took to tackle the problem. He would appreciate information on the measures in place to protect women with disabilities from involuntary sterilization, a practice that reportedly still occurred in the country.

57. **Mr. Alsaif** asked to what extent persons with disabilities and their representative organizations were involved in implementing and monitoring disaster risk reduction strategies and policies. He said he would welcome more information on procedural

accommodation and accessibility measures in place to facilitate the participation of persons with disabilities in legal proceedings. He would also appreciate further details and statistics concerning complaints of violations of the rights of persons with disabilities. Lastly, he wished to know whether the Government had conducted any campaigns to raise awareness of the concept of independent living.

58. **Mr. Martin**, referring to his earlier question, asked whether the Government planned to remove the word "retarded" from the Filipino dictionary. He wished to know when and how the State party would bring its legislation into line with article 12 of the Convention by abolishing the system of guardianship and substitute decision-making. In addition, he asked what steps the State party was taking to ensure that all persons with disabilities, including those with intellectual disabilities, could live independently in the community and he urged the State party to close down the institutions in which those persons were placed.

59. **Mr. Babu** said that he wished to know what impact the government directive on providing legal assistance to persons with disabilities had had in terms of increasing access to justice for them. How many cases of persons with disabilities had been successfully handled by the Justice Department as a result of the directive, and was the directive applied nationwide? He would appreciate more information on the "stringent procedural and substantive requirements" mentioned in paragraph 87 of the State party's initial report (CRPD/C/PHL/1) and on the number of persons with disabilities who had benefited from those requirements. He wished to know what specific legislation, policies and road maps the Government had put in place for the implementation of article 19 of the Convention.

60. **Mr. Langvad** urged the State party to avoid using language stating that persons with disabilities "suffered" from their impairment. Noting that the Committee on Economic, Social and Cultural Rights had called on the State party to review its laws on disability, expand the provision of reasonable accommodation and supply personal assistance services to persons with disabilities, he asked whether the State party still considered it reasonable for persons with disabilities to be forced to live with their families, as was common practice in the Philippines, rather than having the opportunity to live independently in the community.

61. **Mr. Kabue**, expressing concern about the statement that no cases of discrimination against persons with disabilities had been reported in the State party, asked whether cases were in fact not reported because persons with disabilities faced difficulties in accessing justice. He said that he wished to know what processes had been established to enable persons with disabilities to file discrimination-related complaints. He said that the definition of "children" contained in the Philippines law on special protection of children from abuse, exploitation and discrimination placed persons with disabilities in the same category as children and he asked whether that did not in effect deny such persons the right to live independently in the community and to exercise their legal capacity. On a related topic, he said that he wished to know what policy the Government had developed to provide assistive devices to persons with disabilities so that they could live independently in the community.

62. **Mr. Ishikawa** asked whether the State party intended to extend the accessibility guidelines for city buses to other forms of public transport. He reiterated his earlier question concerning the production of inaccessible jeepneys.

63. **The Chair** said that the issue of preventing impairment by preventing road-traffic and work-related accidents and malnutrition was properly a matter for the Committee on Economic, Social and Cultural Rights and not the Committee on the Rights of Persons with Disabilities. She asked whether the Government had taken action on the recommendations issued by the Committee on the Elimination of Discrimination against Women following the inquiry concerning the Philippines under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

64. **Mr. Chaker** drew the State party's attention to the case of a teacher who had abused and assaulted at least 20 deaf children in a State-run school; the only action taken had been to transfer the teacher to another school for deaf children. He asked whether the teacher should not instead have been banned from teaching so as to set an example to others.

65. **Mr. Basharu** asked what actions had been taken by the State party to provide protection, safety and security to refugees with disabilities and ensure that they were given information on their rights in accessible formats. He said that he wished to know whether the Government would consider amending the Immigration Act of 1940, which excluded persons with mental impairments from entering the country. He would also welcome information on the measures taken to help persons with disabilities to acquire their own mobility and assistive devices. Were there any tax breaks or duty waivers for purchases of adapted vehicles, and was any training on the use of assistive devices provided for persons with disabilities?

66. **Mr. Kim** Hyung Shik asked how often disability support indicators were monitored and what the outcomes of monitoring had been. He said he would also appreciate further information about cases involving different types of discrimination, including direct and indirect discrimination and intersectional discrimination. Noting that, due to limited funding, just one State agency had responsibility for procuring equipment for persons with disabilities, he asked if the delegation could provide information about the implications for persons requiring assistive devices. Lastly, he urged the delegation to use the term "persons with disabilities" rather than the acronym "PWD" as a matter of respect.

The meeting rose at 5.50 p.m.